

Summary Minutes

Sedona City Council Special Meeting/Work Session

City Council Chambers, Sedona City Hall, Sedona, Arizona

Wednesday, February 24, 2010, 5:30 p.m.

1.  **Call to Order/Pledge of Allegiance:** Mayor Adams called the meeting to order at 5:31 p.m.

2. Roll Call:

Council Members: Mayor Rob Adams, Vice Mayor Cliff Hamilton and Councilors Pud Colquitt, Mark DiNunzio, Jerry Frey, Nancy Scagnelli and Dan Surber

Staff present: City Manager Tim Ernster, Assistant City Manager Alison Zelms, Administrative Services Director Andi Welsh, Community Development Director John OBrien, City Attorney Mike Goimarac, City Engineer/Public Works Director Charles Mosley, Interim Police Chief Jim Driscoll, Commander Ron Wheeler, Officer Will Lopez, Officer Truman Peyote, Senior Information Referral Advocacy Anne Leap, Assistant City Engineer Andy Dickey, Assistant Engineer Dave Peck and Recording Secretary Alison Carney

Mayor Adams read the two agenda items. He thinks its ironic that in June 2008, the night he was seated as mayor, lighting of 89A was on the agenda. The motion was made by Council to attend continuous roadway lighting. Now here we are again. Its been a long and contentious debate. Its been extremely unfortunate the way this has gone down. He appreciates the audience being well behaved. If youd please refrain from clapping or booing or throwing things or spitting. If you act out hell warn you once then ask you to excuse yourself, and then ask an officer to escort you out. None of us want that. Well hear from ADOT tonight. Youre represented up here whether youre for or against lights. Weve done our best to represent you. This debate has been ongoing through a number of different means.

Vice Mayor Hamilton stated wed talked about reversing the agenda items.

Motion: Vice Mayor Hamilton moved to reverse the orders on our agenda of #4 and #3 so wed address the broader topic first. Mayor Adams seconded. Vote: Motion passes unanimously with seven (7) in favor and zero (0) opposed.

4. Discussion/possible direction/action regarding the Arizona Department of Transportation's State Route 89A turnback study. (CMO) (2 hours)

Council moved to discuss #4 before #3.

John Harper, ADOT Engineer, presented the route study requested by Council a year and a half ago. The turnback limits go from existing Uptown owned by the city currently up to just past Upper Red Rock Loop Road. There's a piece of 179 from the Y to Ranger Road. We didn't want any gap in ownership. ► The purpose was to develop a summary of needs. This is a cooperative effort. It's funded by the state but everyone had input in the process. The information is intended to serve to help you make a decision on this issue. The slide shows existing and potential future traffic signals. From here on out we'll present an overview of roadway standards and costs. ADOT is responsible for maintaining the roadway, curb and gutter, retaining walls and medians on SR89A and SR179. That's in an IGA. The city now maintains the sidewalks and helps us with snow removal, sweeping and some striping. The study looked at right-of-way, lane configuration, bike lanes, posted speed and pavement width. We also looked at traffic volumes in 2007 and what it might be in 2030. The results are in the chart. Even in 2030 we're not in over capacity so that's a good thing. Culvert overtopping occurs during short duration events in the spring near Coffee Pot and Southwest Drive. The new storm drain system is in place on SR179, it's not activated yet. We have a traffic signal that's going in on SR89A and Airport Road. The city is splitting the cost with ADOT 50/50. Planned improvements involved installing roadway lighting and a traffic signal at Andante Drive. This is a \$2.5 million project. There's also a pavement preservation project from Juniper Road to Brewer Road. This is about a \$4.5 million project. Other identified improvements are widening Dry Creek Road to accommodate three lanes; the same at Coffee Pot. The city would like that restriped. The city requests Southwest Drive be re-evaluated for periodic flooding. Those costs are recapped in the Project Costs chart. The total improvement costs are over \$8 million. ADOT is responsible for drainage maintenance in the state right-of-way. Both the city and ADOT spend about \$33,000 each a year on maintenance costs. Route Transfer Process: the Transportation Board has the authority to remove highways from ADOT. The advantages for ADOT and the city are laid out in this slide. There are a number of advantages for both parties. Considerations, things you need to think about before you make this decision, what you're going to take on. The route transfer

process can be accomplished fairly quickly. The IGA needs to be signed by both parties and approved by the State Transportation Board; it could take 6 months or so.

Mayor Adams asked if theres anyone whod like to speak specifically to the turnback at 5:45 p.m. and not seeing any brought it back to Council.

Councilor DiNunzio stated the paving is for 2011. What is the life expectancy for paving? John Harper stated at least 10 years. The last project we did down here was 1995, so its been 15 years.

Councilor DiNunzio stated its a \$4.5 million project. With a 10 year life youre looking at \$450,000, plus inflation.

Vice Mayor Hamilton stated hes looking at the maintenance cost, pg. 04-20. Youve given us a five year set of maintenance. Is there anything in that whole set of stuff that might potentially change that in the next five years? John Harper stated he doesnt think so. What youre seeing with the citys costs is where theyve helped us with storm damage. As far as ADOTs costs, he doesnt think so. The city takes care of the sidewalks, they do the street sweeping.

Vice Mayor Hamilton stated if we add the cost of maintenance and operation of streetlights, then the overall cost goes up \$100,000. John agreed.

Tim Ernster stated Charles may have additional information on costs of maintenance.

Vice Mayor Hamilton stated he was just looking for a ballpark for now. On page 15 or 04-21, hes looking at the crash data over the past five years. How do these compare to what would be expected? Are there any red flags? Brent King, Consultant with HDR, stated we ranked those based on severity.

Vice Mayor Hamilton stated Coffee Pot drive has twice as many accidents as any other intersection. Is there something we need to know about that spot? Brent stated one of the things we look at is what these crashes are, rear-end, side, but we didnt have that information.

Vice Mayor Hamilton stated so the rest of his questions, we just wont get there tonight. John stated if you want that information we can provide it. Vice Mayor Hamilton was looking for an analysis to tell us in addition to these sites that

youve identified if there are other spots that will sneak up down the road. John stated this was a short term study. We could pay them for a more in-depth analysis.

Vice Mayor Hamilton stated lets look at the projected numbers in 2030. If we had the no-build condition we would be below or near capacity. Hes wondering where are the hidden costs that we didnt see. When you say no-build, maybe there are things coming in the future. What kind of building might we be looking at? Widening the road or side roads? John Harper stated some turn lanes, those types of improvements. If youre over capacity youll need an extra lane. As a business comes in you might want a turn lane.

Vice Mayor Hamilton stated looking at pg. 16, 04-22, that has the list of planned projects, we see some costs. Typically in a turnback study it would look like we were trying to identify the defects. In this kind of turnback study, would you want to hand us the money and give us the road or would we wait for you to make the improvements? John stated we would do those improvements. Vice Mayor Hamilton asked if ADOT would take care of the things the city identified. John stated the city would take care of its own issues.

Charles Mosley stated a couple questions Vice Mayor asked, they had anticipated. Wed raised the issue of accumulated costs. In other words wed have to take on the burden of overlaying the street. If the city were to take back the road, wed be tasked with a higher level of maintenance then what youve seen us doing. He has a sense that wed have higher costs because of proximity. If ADOT continued to own the road, wed raise items on pg 4-22 when they got to critical issues or if there were grants available.

Vice Mayor Hamilton stated so maintenance might be low compared to what we could actually expect. Charles stated thats his expectation.

Vice Mayor Hamilton asked for other cities that have taken back major roads going through their communities? John Harper stated in Flagstaff, Sedona, Page, Williams those are in his district. Floyd Roehrich, ADOT state engineer, stated we completed a large turnback with Yuma. Were in the process of finalizing all that. We completed the work there and theyll take it back by July 1. There are a number of entities were working with. As the cities have grown and have taken more control of what their infrastructure looks like, theyve approached us and have made agreements.

Vice Mayor Hamilton asked what kind of experience they have had as far as cost overrun that they didn't anticipate. Are they happy? Floyd stated we've never polled the city after the fact. There are a lot of variables. The cost associated, we'll get it to a certain standard. Like any other facility you have plenty of streets that you currently manage. It allows you the latitude to maintain it. Nobody's ever wrote me a letter that says you've sold us a lemon. Everyone signs the deal and agrees to manage their parts.

Vice Mayor Hamilton stated we could contact those cities to learn of their experiences. Would the concept of a warranty be something we could talk about? If a sinkhole opens up after we've had it 6 months, can we identify conditions of cost sharing. Floyd stated you won't get a warranty. We've come together over the years and that won't change. If some part of the infrastructure fails, if there's an emergency situation, you can contact ADOT. There are federal funds available as well. He doesn't see the relationship changing, but we won't give you a warranty. We'll work within the confines of the transportation funds.

Vice Mayor Hamilton stated on pg 19 of Route Transfer Considerations, the third paragraph: this risk is generally assumed by the local jurisdiction in a route transfer. Are there shared liabilities? Floyd stated only if there's a component within this system that we both take responsibility for.

Vice Mayor Hamilton stated on pg 20, under the city's advantages and disadvantages, the fourth item down says increased data recording. Are there things that would make the costs sneak up? John stated we keep data on cost for maintenance, whether you do that or not he doesn't know. Floyd stated it's whatever you keep records of as part of your infrastructure.

Vice Mayor Hamilton asked about the traffic analysis in section 4. Charles stated it's from the city. It's the back of the ADOT report and it's because we used two-sided copies. It was provided in order to show some of the future traffic conditions that our studies show for intersections that weren't covered in detail in the ADOT report.

Vice Mayor Hamilton asked about the crash information. When was this report completed? Charles stated 2005. Vice Mayor Hamilton stated the crash information spanned three years. Is that the standard look-back time frame?

Charles stated yes.

Mayor Adams stated he requested the turnback study to look at alternatives for the city to be in control of its own destiny. Council approved funding for a redevelopment study for that corridor. ADOT's intentions and the city's may not be the same, as evidenced by the conflicts we've had with the lighting. He was hoping to have something in front of him that said it's feasible or not. He doesn't have a lot more information than he did before he received the study. You said there is \$8 million of projects you plan on doing and there's \$7.5 million that's funded so you'll do that at the minimum. John stated yes. Mayor Adams asked where we find the good faith to move forward in that direction instead of the lights. John Harper stated the city needs to come forward with what they want. We're willing to turn this over today if that's what you want. Mayor Adams stated we went through this with Uptown. He'd want to negotiate everything. What is ADOT willing to do? He doesn't have that information. The maintenance cost will be \$63,000 a year which we'll be taking on. Is there federal funding we could apply for every year? Where can we take this from here? We're looking to make a decision to install lighting for \$2 million without knowing if we can go down a different path. Floyd stated it's what the city wants the facility to be. On a turnback, it's yours; you have to decide how to manage. We don't get federal dollars for maintenance. The federal dollars you're talking about to use on your infrastructure, through your COG, they get money every year. A facility could be eligible for federal funding in the future but they'd compete through your COG, not through ADOT. This would become your road and you'd have to deal with it like you would any other road. Mayor Adams stated we're not clear on the alternatives. He was hoping for more information to get him further down the road. Would ADOT provide the betterments to the road? Floyd stated we would make the improvements that are agreed upon as improvements that need to be completed before the turnback.

Mayor Adams stated the traffic signal at Airport Road, the lighting and preservation were the three big ones. There was also the evaluation of Coffee Pot intersection, Southwest Drive, to name a few, would ADOT do those? How do we say it makes sense to move forward? Where does that put us regarding the liability of what we have on the highway?

Mayor Adams stated staff could sit down and look at the types of questions we'd like to pose to ADOT. Charles stated we could. To identify deficiencies and the cost of them then we'll talk about cost share. Another item that we would raise

is the fact that we would need to start saving for improvements to the road in the future and whether or not ADOT would give us a leg up on that. He hopes we'd receive dollars on those things.

Mayor Adams asked if this is something we should look at? Charles stated that's a question for the Council. We were going to look at improvements on the roadway. Whether or not those improvements were compatible with what ADOT might allow or does the city have a vision that ADOT can't do and we find ourselves in a situation similar to Uptown. That would be taking it back with a cause. To do it right now, he would be concerned, if you want his opinion. Would we be taking it back in a vacuum without a plan then taking on maintenance responsibilities that we would have to save up for four years. If we couldn't save it, it would impact our ability to keep up our streets.

Tim Ernster stated you have two decisions. One is to select an alternative for a lighting system or to direct staff to begin negotiating the process of taking SR89A back. The letter from yesterday stated they are willing to do that process in as short as 6 months. He talked to Floyd and John further and ADOT said even though you may not have all the details worked out, if there's a commitment from the city to take back 89A, then the rest of the process for taking back the road can follow after that, but ADOT needs a firm commitment from the city. ADOT will move forward with the design for the lighting system and we have six months. Floyd stated the intent of the letter was we were looking to get a final turnback condition and the process started with the commitment that that's the direction we're going. The turnback agreement in Yuma was executed but they didn't get the road back for five years after the work was done. We want a firm commitment that if we move forward and say we won't do the lighting but we'll do all the other improvements then you get the roadway. We'd need something that affirms this is it. The six month period is to get all that agreed before we expected to start on the lighting project.

Mayor Adams stated so we'd have 6 months to look at all the considerations of the turnback? What's the downside to the city? Floyd stated it'd be staff and Council time. The lighting project moves forward, it's set to advertise in July with construction to start late summer/fall. That's why you have the six month period. The lighting project is moving forward. This is why you have six months to finalize this in order to stop the lighting project and put it in the city's hands.

Mayor Adams stated his intent is to vet all the options and understand them all. The turnback is something that hasnt been vetted. He wants to understand this as one of the options. Hes not using this as a delay tactic on the lights. Lets make sure we have all the information before we implement.

Councilor DiNunzio asked for data on the amount of through traffic, not used internally. John Harper stated hed bet most the traffic on SR89A is local traffic, a great deal of it. Councilor DiNunzio asked if theres a way to tell how much is coming in versus how much is internal. Charles Mosley stated on the ends as you near the high school its about 15,000, Coffee Pot is about 33,000, which means theres a lot of local traffic. Then toward Uptown you drop to 9,000. SR179 drops to 11,000-12,000 so using those numbers you project the through traffic at 10,000.

Councilor DiNunzio stated hes trying to determine if this is a significant state system for traffic in which case should it be in the states hands. Last summer council looked at moving the median plan into the redevelopment plan. Whatever happens to the road, it ought to happen as part of the master plan of what West Sedona may become. Charles stated that was his personal opinion on whether or not there was a clear purpose to take it back now.

Councilor DiNunzio stated so given our current financial situation, taking on an additional burden puts more on our plate then we can benefit from.

Mayor Adams asked for people to raise their hand if theres an open seat.

Councilor Surber asked if this is a high priority road thats used to transfer traffic. Does it not serve a state function in your mind? John Harper stated it looks like a city street and acts like a city street it should probably become a city street. The city is almost there. You guys want to have your own destiny.

Councilor Surber stated if we decided not to do lighting is there funding for other alternatives? John stated at this point no, but that could be part of the negotiation process. Floyd stated the lighting funding is for that purpose only. If we dont do the lighting those funds cant go to something else, but we might have other funds that could go toward other things. Were dealing with the same budget conditions as you. We want to find a compromise.

Councilor Surber stated if a business is required to do a turn lane is ADOT required to put it in? John stated the businesses are responsible to put those in.

Councilor Surber asked if were compliable for ADA. John stated theyll all get reconstructed to current standards under planned projects.

Councilor Surber stated if we take this road back what design do we follow? Charles stated hell look at what ADOTs standards are because the volume is so high. If we say we want to go to a two lane road, the consultant that we hire, hed point out that wes expect some backups.

Councilor Scagnelli stated itd be \$450,000 a year wed put aside for 10 years from now is that correct? John stated yes. Councilor Scagnelli stated at some point you walk away and its ours and the day comes when the road needs to be fixed. If it is \$450,000 a year 10 years from now and an additional \$33,000 thats close to half a million a year wed need to budget for the road. Charles stated theres some handicap ramp rehabilitation in that number, so it could slightly less than \$450,000. Councilor Scagnelli asked Tim how the city would do that.

Tim Ernster stated if we were in todays economy 10 years from now youd have to cut something from the budget.

Councilor Scagnelli asked if wed have to put \$450,000 every year, not just 10 years from now. Tim stated there might be some way we could bond for that project. If you do pay as you go then youd set the money aside until you have enough to pay in 10 years. Theres a couple of ways you could go. Councilor Scagnelli asked if we could bond. Tim stated we wouldnt bond now, but when we were getting close to the project.

Councilor Scagnelli stated shes heard talk about making it a two lane boulevard, how does that affect ADOT on both sides? Floyd stated it would depend on what the city wants as you make your improvements and make it into a parkway, as you see the breakdown of traffic in the city, you might want a bypass to move the traffic that wants to get out. We worked a bypass on SR60.that would be a discussion between us and the city. If you want it pedestrian friendly and you dont want the through traffic wed have to talk about that.

Councilor Scagnelli stated the state has a burden now, how would that affect our negotiations in today's economy. Floyd stated we were willing to do these improvements anyway, but if the city wants things on top of that and it becomes too large financially, we won't be able to do the turnback.

Councilor Scagnelli stated today's economy means a disadvantage to the city whether we put the money aside now or pay the bond back in the future, you still need to pay it back. How would we do that in today's economy?

Councilor Frey stated we have a lot of public non-maintained roads, how will that affect us to try to deal with the rest of the road system? Charles stated we'd need to incorporate it into the maintenance program. Coming up to standards is something we'd need to look at. Depending on what Council wanted it could be pushed back. It's really how much money is available for maintenance.

Councilor Colquitt stated if we make a decision tonight there are no definite numbers. Now you're saying there's \$8 million worth of work and you're willing to do \$7.5 million. Looking at the pros and cons that staff came up with; would it be fair to ask is there anyway you could put an amount on some of these on pg 4-3? Like the increased operation in maintenance cost? Tim stated it'd be about \$65,000 plus or minus.

Councilor Colquitt asked how far behind we are on the public non-maintained streets. Charles stated we put together a program 3-4 years ago to get around the city in 10-15 years. With the economy now, we'll do half of what we intended to do. We have a significant number of streets that need work.

Tim Ernster stated the issue came up about accelerating our street projects. Council directed us to bring something to Council about spending more money to accelerate street work. If you were to take back SR89A you may need to rethink that priority.

Councilor Colquitt stated the city would have to update everything to ADA standards, like what? Charles stated like sidewalks and curb cuts to driveway access. The timeframe could be extended. The rehabilitation project is currently taking care of a lot of that at the corners.

Councilor Colquitt stated it worries her that we're not going to know any more two months from now until you get to the end of the process. So we'll commit to

biting off something we have no firm idea of what it'll cost us. Tim Ernster asked John or Floyd if it'd be possible for staff to work with ADOT, but also select one of three lighting alternatives so ADOT could continue working with Council's design. Could you do a dual track? Then at six months we still have time? Floyd stated yes. He expected that. In the director's letter he didn't intend to push you into the turnback decision tonight, but he wants to move that forward before we spend the money to put the lights in.

Councilor Colquitt stated she doesn't know where we're going. We're treading water and the liability continues.

Councilor Surber asked when ADOT's liability would turn over to the city? Floyd stated the liability transfers when the turnback agreement is finalized. It will be ADOT's during the improvements until the turnback is executed.

Councilor DiNunzio stated there are safety measures the city would need to do if it took the road back, so that's money out of the city's pocket. His position would be the city table this and not occupy itself or ADOT with studying this further because the implementation is 3-4 years down the road and it'll take that long for the city to have its finances in order and to get through the redevelopment plan to include a realignment of SR89A. He'd direct staff to let it be and not go forward with it.

Mayor Adams stated the agenda calls for possible action. Does that leave the option for a motion? Mike Goimarac stated yes.

Councilor Surber asked are form-based codes a conflict with the street? John stated ADOT's not set up for dealing with city-type issues.

Councilor Colquitt stated our choices are 1. We do the turnback or 2. You put up the lights correct? Floyd stated yes. That's correct.

Vice Mayor Hamilton stated the list work we have, how long does it take to do that list because that's when we'd take the road back? John Harper stated the majority would be done within one year. Some others would have to be studied and designed, but the majority would take six months.

Vice Mayor Hamilton stated so by the end of 2011 would be the potential finalization time if we were to go this route. Floyd stated the agreement would be well before then, but it wouldn't be final until the construction was done. We'd

execute the agreement before then, but when the improvements were done, then its the citys.

Vice Mayor Hamilton stated 2011 would be when we would take full liability. He wants to know other cities experiences. If we go into this with a lot of unknowns its our fault. We could call these other cities and hear their experiences. In 30 days we could look at what the increased maintenance cost would be to the city. If we wanted independent view points we could do that in a fairly short time. We dont have to go into this blind. Hed like to see us at least look ahead. He understands that theres a possibility that we might find an impasse and discover it wont work and we both say walk away. That seems possible too. To not at least start answering some of these questions, to not do that would fail to fully vet this endeavor. Hed like to start to reach an agreement about that, recognizing it may never go forward, but to at least get the information and in good faith, try to see if we can get a full look at this and make a truly informed choice.

Motion: Vice Mayor Hamilton instructed staff to investigate those items that we dont have clear at least the experience of other cities, the accident records, a more fully described maintenance cost and an independent evaluation of additional costs to the city and bring it back to Council within the next 45 days so we could look at potential of moving forward or not. Mayor Adams seconded. Vote: Motion failed two (2) in favor to five (5) opposed. (Councilors Scagnelli, Surber, DiNunzio, Frey and Colquitt opposed).

Floyd stated that fits with their idea of a turnback. We dont want you to make an uninformed decision. Thats what the six months are for. He doesnt see any reason why what youre asking for is unreasonable.

Councilor Scagnelli stated we know in this climate we cant do this in the next year and a half. She can see the day that wed want to take the road back but she doesnt think this is the time. Were probably talking a property tax if we take it back. Shes concerned with sending staff out to do this now when we cant afford this now. What does Tim think? Tim stated hed like to ask ADOT if Council approves this motion, will ADOT put your design on hold. John stated wed move forward with the design.

Councilor Scagnelli stated she was asking about city staff time.

Vice Mayor Hamilton stated he wants to make a fully informed choice.

Councilor Scagnelli stated the intent is to take the highway back, but its not clear how we can afford to own a highway now. She understands that wed negotiate something.

Vice Mayor Hamilton stated he sees series of mile posts, he doesnt know where it would lead but hed like to go to that next mile post.

Councilor Scagnelli stated we dont have that money to take on that responsibility.

Vice Mayor Hamilton stated we have a year and a half before that happens.

Tim Ernster stated if the work over the next 30 days is trying to determine the experience of other cities, gather information, thats something we could manage. If it gets more complicated than that, there may be a struggle, but if its just gathering information from other cities we could do that.

Charles asked if Vice Mayor Hamilton is looking for detailed costs.

Vice Mayor Hamilton stated Charles indicated our maintenance cost might be more than what is in the document. Hed like Charles to come up with a ballpark notion of what he thinks the actual maintenance cost might be. Hes looking for ballpark stuff, not totally refined numbers. Now it costs \$65,000 to maintain the road, if we add the lights thats another \$18,000. Can you quantify that in a ballpark way?

Charles stated hes not sure what that number would be but he has a sense of what might occur. He can throw a number at it. It would come back to the city to take care of things that might not occur immediately. He can also describe his concerns.

Vice Mayor Hamilton hopes the police department can look at accident reports, we can call cities that have made this change. He didnt see it as a major research project but more of a due diligence thing.

Mayor Adams stated were just getting enough information to see if theres a major roadblock. We dont know the costs of the turnback so thats what were trying to

figure out.


Councilor Surber stated he doesnt mind going further to get more information but the major component that needs to be vetted is an alternative to lights and that wont be vetted until the redevelopment plan and that wont be until we have the money. How can we wait that long? That is the time to look at the turnback, with the redevelopment. If staff doesnt think itll take too much time. We wont know the alternative to lights until the redevelopment plan. He doesnt mind taking it further but the true item we need to vet is what were going to do for an alternative to lights and we dont know what thats going to be.

Councilor DiNunzio stated those items are of interest. They dont tip anything. No matter what they come in at, it wont make a difference to him on whether or not to enter negotiations to take over this road. The conclusion hell come to will be the same. The cost of operating the road and maintaining the road and the cost of putting in safety enhancements exceeds anything else.

Mayor Adams stated we dont know whats on the table.

Mayor Adams called a recess at 7:18 p.m.

Mayor Adams reconvened at 7:29 p.m.

- 3.  Discussion/possible direction/possible action on State Route 89A lighting and pedestrian safety alternatives including any possible alternatives to continuous roadway lighting. Representatives of the Arizona Department of Transportation will be present to explain that agency's position regarding lighting and pedestrian safety alternatives. (CMO) (2 hours)**

Mayor Adams stated limit it to 3 minutes. We have a lot of cards. If you have heard what you were going to say just say youve already heard it. If youre going to be leaving, notify the clerk so well remove your card. We need your name and city.

Tim Ernster stated John Harper will make a presentation on ADOT information on the three alternatives. This item was discussed October 8, 2009. Since then there was an open house at the library. Since that time the 68 alternatives have narrowed to three. On Monday, John Harper called and said ADOT has \$500,000 that can be used toward the citys share of the lighting

cost. This is an additional amount above the \$2 million approved by the state transportation board for the roadway lighting. That would be significant enough to cover alternative 29B-R1. That's a 35 foot pole, a Monterey style lamp; it has a 2.5 foot mast arm. If Council selects an alternative this evening then alternative 29B-R1 is staff's choice. This alternative is consistent with feedback from the public. That alternative wouldn't cost the city additional money. We think it's a good height and number of poles. Of the three, that's the one staff prefers.

John Harper stated he'll present the three alternatives. A public open house was held November 5 with 68 alternatives. Construction will begin fall 2010. 218 signed into the Open House where they received comment forms. They received 167 comment forms by various means, both opposition and support. They're working on a summary. They asked 12 questions to the public. Respondents preferred lower mounting heights and 87% favor installing on both sides of the highway. Some people didn't answer all the questions. 68% cited mounting height as important compared to 32% citing energy usage. 48% preferred no cost to the city. The Monterey fixture is the type installed on SR 179. All fixtures under consideration are full cut off fixtures. A mounting height under 25 feet would be low. Lower height means more poles and higher cost. High pressure sodium is slightly yellow. Low pressure sodium is yellow and is supported by astronomers. Alternative 4: ADOT standard Light Pole: 30 foot pole, 20 foot mast arm, 35 foot mounting height, staggered layout, 65 poles, cobra head fixture with 250 watt high pressure sodium lamp, city investment: \$160,000, which would be covered by ADOT. 91% oppose this type of system. Annual operations and maintenance of this system would be \$12,000.

Alternative 29A-R1: 30 foot pole, 2.5 foot mast arm, 30 foot mounting height, 170 poles, 150 watt high pressure sodium lamp, and the city investment would be \$1.1 million. Operation and maintenance would be \$24,000/year.

Alternative 29B-R1: 35 foot pole, 2.5 foot mast arm, 35 foot mounting height, 93 poles, 200 watt high pressure sodium lamp, and the city investment would be \$470,00, which would be covered by ADOT. Operation and maintenance would be \$15,000/year. We narrowed these down from 68 alternatives.

Mayor Adams opened it to the public at 7:41 p.m.

Marlene Rayner, Sedona, stated ADOT should read its own 2009 report regarding pedestrian safety on their roads that become main streets in towns.. That report follows exactly what the safety panel did. This council and ADOT

have ignored the residents and that report. Residents are very upset. We were treated as children. Thus the fact that the council bloc containing 3 appointed members okayed this solution is irrelevant. Public opposition is so great that is the #1 in council elections. She points to several important documents that have been ignored or skewed by ADOT to justify this project. In August 2009 KSB polled its 600 members and found 98% of those responded are opposed to continuous roadway lighting. In October 2008 citizens marched in protest at the state capital and at city hall. Residents went to the State Transportation Board meetings to protest the issue. This continuous roadway lighting violates residents environment. Many live within a half a mile to 89A. Based on negligence for not applying solutions suggested by the 89A safety committee report. All residents feel 89A deserves no less than whats given to Uptown and SR179. We will not settle for less.

Ted Jones, Sedona, read from his letter titled "You Can Kiss the Night Sky over Sedona Good Bye." If anyone here tonight has ever stood in the Sedona library parking lot as I did about three months ago on a clear night to observe the night sky to the east over Sedona, they would know that all the stars and planets are not, I repeat, not, visible below 40 degrees above the horizon. Now, this is with the current lighting. This is a recently purchased AA powered flashlight composed of three LED lights of 20 lumens each. Note that the Paul Box report that ADOT resorts to said that the light reflected from the pavement will be in the order of 830 to 860,000 lumens. When I informed my ophthalmologist, Dr. Brain Chang, of Councils approval of continuous roadway lighting, his reply was that it was not a wise decision because of the large number of older citizens, who will have reduced visibility because they have eye cataract impairment, even slight impairment will cause increased glare and subsequent reduced visibility. Now how about that! It is often referenced that the police reports of the three pedestrian deaths contain words to the effect, "I didnt see the pedestrian, (sic jaywalker). Of course not – do you think they are going to tell the officer "I aimed for them?" Was it not the Catholic arch bishop in Phoenix that struck an individual about a year ago, kept driving, later saying that he thought he struck a dog? Poor dog. And lastly as long as Im talking ethics, I would like to poll each Council member as to whether they think it was morally or ethically appropriate to have Nancy Scagnelli, a current and re-election candidate for Council to appear in a video on the internet about three weeks ago. She was standing with Chuck Gullick of ADOT in the 89A canyon switchback area that experienced a wash-out which resulted in a temporary closing of the canyon route to Flagstaff. She implied

that she was somehow instrumental in getting ADOT to permit one-way traffic.

Dennis Rayner, Sedona, stated hes here to unofficially represent the majority who dont want continuous roadway lights. Our primary business in Sedona is tourism, but the product we sell is the environment. Its also the reason our residents chose to live here. There are alternatives that Sedona would find acceptable. Before a final decision on lighting he wants to make sure that the NEPA process realizes the negative impact continuous roadway lighting will have on the health and well being of Sedonans, our majestic dark skies, amazing wildlife and our small town character. In the time of accelerating global warming we need to reduce our CO footprints not increase it with high-wattage lights. He urged NEPA to stop ADOT.

Paul Chevalier, Sedona, asked Council to do something theyre not prone to do. Step back from this decision. He learned recently from reading State of Arizona vs. Kingman that ADOT has a policy of obtaining local government approval prior to making changes on its roadways in city limits. Its a good policy. But this council will be out of office before ADOT does any work. In two weeks this council will be out of office. You may have a council that doesnt approve lighting. If you could step back two weeks to see the results that would be good. In terms of the Council, hes reminded of the Americans Creed it says “I believe in the US, a government of the people, by the people, for the people, whos just powers are derived from the consent of the governed.” Youll know in two weeks from the people if you have the consent of the people. You should step back because your just powers are derived from the consent of the governed.

Anna Cates, Sedona, there have been fewer nighttime accidents at night than at day time. Safety is her primary concern. One of the main points of risk management is separating the contributing factors of loss so theyre less likely to occur. Lighting doesnt do that. She lives off of Northview Road, near 89A. One step has been made in helping reduce the accidents by reducing the speed limit to 35 mph. Thats been important. She was a near victim on two occasions because of people running red lights in the day time. The problem was the behavior of the drivers. Consider making adjustments that help correct human behavior rather than just adding lights. ADOT said there were other sources of lighting and they didnt have to be for lighting. She doesnt understand why theres an unwillingness to see other ways.

Juliette Colangelo, Sedona, how did we get here tonight? The IGA dated April 17, 2007, signed by then Mayor Colquitt, Mike Goimarac and Susan Davis states the “state shall be responsible” the agreement gives financial responsibility to roadway lighting to the city. How did the city accept the position that roadway lighting was the only feasible solution for the city. John Harper wrote in 2008, “We believe the recommendations by the safety panel provide a comparable solution. ADOTs position is to use all the recommendation by the panel as a complete package.” John Harper stated the city is financially responsible for the installation of raised medians. Councilor Scagnelli talked about continuous medians and roundabouts on 89A. None of this construction had ever been suggested by the panel or anyone else. How did she get to continuous medians when the recommendations only spoke of strategically placed medians paid for by ADOT per terms of the IGA. In a memo from Eric Levitt, he indicated medians provided enhanced safety over the lights but the city would have to pay for them. He knew about the IGA, which states clearly the state is responsible for betterments.

Cole Greenberg, Sedona, stated he wont speak to Council because he has no respect for it. Hell speak to his friends and neighbors. Hes troubled by ADOTs conclusion that continuous highway lighting is necessary on SR89A. This conclusion is the answer to a private request; we dont know anything about it. Hes a former commercial site selector. Hes been a developer and a builder for Kentucky Fried Chicken. The direct beneficiaries would be commercial property owners and potential developers, not us. He doesnt know who they are but they have more sway over our Council than we do. Follow the concrete and if that doesnt work, light it up. Sedona finds itself in a playground scuffle with ADOT. The public wants to protect the nature of the community. Given that the 89A corridor has been free of pedestrian injuries for four years, its one of the safest in Arizona. Who stands to benefit from the river of light?

Cliff Ochser, Sedona, stated he was a member of the safety panel. ADOT is cooking the numbers and deliberately omitting overwhelming opposition of this project. He reviewed every public document received by ADOT on this project. No one else has done that. The numbers overwhelming show the public is against this project. By ignoring the numbers ADOT is being corrupt. Theyre ignoring safety options for the 95% of people who are in danger during the day. According to the public comment form submitted to ADOT, 30 were in favor and 167 were against. Hes seen those documents with his own eyes.

Where is this data in your presentation? The community is putting ADOT on notice. We have secured representation. We have an expert legal opinion which will show ADOT is exposing our community to tremendous liability. You can spin the numbers and have the PR firm concoct public statements, but in the court of law, facts rule, numbers rule, truth rule, public statements rule, everything that's been said on the record rules. He's submitting an email from the director of the Dark Sky Association sent to him October 26, 2009. He wrote Alternative 14 wins hands down, nothing even comes close. He states that low-pressure sodium is preferable.

Rob Veach, Sedona, ADOT used engineering judgment they found continuous roadway lighting (CRL) was the solution. They ignored guidelines and procedures that detail protocol of transition lighting. During the transition from an unlit roadway to a lit, a driver's eyes can't focus to adjust. ADOT guidelines direct engineers to light crossroads to .5 mile. By not putting in cross street lighting, the city would be liable in any accident when a driver turns onto a dark side street. The city needs to seek independent counsel for unbiased legal opinion unless they plan to light our side streets for millions of more dollars and lights in our neighborhoods. In an effort to get acceptance pro lights people have misled the Sedonans regarding the type of lighting proposed on 89A. Pro lights proponents seem puzzled about the fuss about 60 lights on 89A when there's a mile and a half of lights on 179. There are 100 lights in the business district. Those lights are different than the proposed lights for 89A. In Uptown they're all pedestrian lights and spaced for pedestrian convenience. The roundabout lights are 30 feet high, with 2.5 foot mast arm, with a flat lens, south of the business district there is no roadway lighting. Pedestrian lighting isn't part of the proposal. ADOT brought a carrot tonight but don't be fooled.

Doug Blackwell, Sedona, stated there have been 5 injuries during the day, zero injuries during the night last year and zero pedestrian injuries during the night since the last death four years ago. The problem is not at night. You're ignoring nationally recognized safety alternatives for 89A, including, strategically located medians, crosswalks, pedestrian barriers on the edge of the sidewalks to keep pedestrian on the sidewalks. The average improvement from these is 45%, continuous lights is 3%. It's striking to see the similarities between ADOT 2009 pedestrian safety action plan and the 2008 safety panel report. It looks like it could have been copied. The ADOT report proves the validity of the Sedona report. They are very similar, even the layout. ADOT can install 2 miles lights of lights for \$1.5 million or one and a half miles of strategically

placed median that will cost \$1.2 million. You could prevent one fewer injury per year thanks to the lights for over \$1.3 million or you could prevent 13 injuries a year for \$1.2 million. You're lucky you haven't been sued already. 13 injuries occurred last year during the day. There are many people in Sedona who do know the truth on safety and they'll likely be subpoenaed.

Marc Sterling, Sedona, stated there are many businesses and individuals along 89A that are not present to speak in favor of lights for fear of harassment. There were stolen campaign signs today along 89A for Councilor Surber. There's increased police patrols for Councilors. There's late phone calls to Councilors as well. One to Kathy Howe said "you don't belong here, pack your bags." There were signs stolen. There's increased police patrols for councilors and phone calls in the middle of the night. Many businesses were bullied into putting up signs. Kevin Fowler called Savannahs saying hell never go there because of the signs. Members of this community cannot be here when they should feel safe in this city. He's asking Council to help reduce the threats so community members feel safe to attend these meetings.

Jolene Pierson, Sedona, stated she's seen with dismay a shift in the focus away from what brought this question in the first place which was pedestrian safety to continuous roadway lighting. She doesn't know why that happened. She submits that what is happening here is that you and all of us are totally in favor of safety on the road. We differ in how that objective is to be achieved. She feels sorry for Council. They're being bullied by ADOT into accepting something because you feel we can't afford the alternative. She went to the presentation at the library and their questionnaire was skewed toward getting them an answer they wanted to hear. We're in danger of killing the goose that lays the golden eggs in Sedona. We're going to put up lighting that will obstruct the view as you drive down 89A day and night. We're going to diminish our dark skies. Why?

Robert Carabell, Vice President of KSB, the real problem is the Andante intersection. Glare from lights at the crest blinds drivers. ADOT has known this since its 2007 report, since the original study of 2006 focused on the entire road instead of the site of the accidents. ADOT also knew glare was the real problem in 2008. Of course the drivers of the cars said they didn't see them, they were right. They were blinded by the glare. There is the safety panel solution. It was thorough, but it's been demarcated here as mere brainstorming. ADOT cannot admit it was wrong. Now we have the attitude saying so what if

it all points to Andante? So what that over 80% of accidents occurred during daylight hours? So what if our dark skies will be diminished. So what if \$2 million will be spent, its only federal money, its not our nickel. So what if theres a huge community output to lights.

Barbara Litrell, Sedona, weve heard were getting lighting because we have the money for it and its only for lights so thats all were going to consider. Shes been involved for three years. Its astounds her that Council and ADOT have continued to ignore the will of the people and say we did public outreach but not say what we found out. Weve ignored the facts and the truth of the situation. There is a group of concerned citizens whove analyzed ADOTs reports and determined ADOT has been ignoring the truth, misrepresenting the truth. It astounds her that Council isnt asking those questions. Were creating unnecessary costs for the city. It doesnt make any sense for compromising the environment for night and day. At the state transportation meetings that several attended, Sedona was characterized as an urbanized area. The representative from Maricopa County explained we need an urbanized solution. Its incumbent on Council to ask the citizens to share the information and show how ADOT has been misleading us all along. ADOT has never responded except once to say sorry.

Mike Ward, Sedona, stated since hes become involved reality is filled with fantasy and politics always trumps facts. Their sole intent has been to promote continuous roadway lighting with any other alternative. Council hasnt asked appropriate questions. Everyone accepts what they say at face value. There was a 2006 study from 6 a.m. to 6 p.m. that resulted in nighttime lighting. One ignored Andante Drive where all the accidents occurred. He hopes Council will ask these questions: ADOT stated the only money they have is for lights. If ADOT knew that in 2008? Were there requests for federal safety money for lights only? Did they make requests for funding for other alternatives? Why wasnt the safety committee informed that ADOT could only get money for lighting? Hed like to hear ADOT say the only federal dollars available are for continuous roadway lighting.

Ron Volkman, Bill Grey Road, owns property in Sedona, stated whats changed since 1975 when he first moved here. You could stand in the middle of the road for 20 minutes and not see a car. Sedonas been discovered. This highway is as dark as when he moved here in 1975 and now you have 3 million people per year. There is liability. Its a lucky thing there hasnt been a fatality or

accident. This is not small town stuff, 24,000 at Dry Creek, 32,000 vehicles a day through an intersection and its going up. If we had the luxury to come up with ideal answers to safety and lighting itd be one thing but were dealing with the reality of what can solve the problem. Lighting the highway at night will make it safer. More people favor the designer style lamp. The height wont matter as much. He hopes you go with the 29B-R1 at 35 feet that spaces the lights 227 feet apart.

Peggy Chaikin, moved to Verde Valley in 1971, its grown into a monster. In November she listened to NPR about roads like this that were built before communities grew up around them and have become outdated, theyre not pedestrian friendly and they contradict what the communities want to use them for. The West Sedona road improvement shouldnt be treated as a burden to the city. On NPR they said they did studies that said health officials have pushed for pedestrian friendly roadways for the health of their citizens. We have plans for the future for this part of Sedona to get it more in line with the community. When she went to the presentation at the library and talked to one of the engineers and said what about smart crosswalks, the engineer said those things are possible but for ADOT to do them wed have to go to the legislature and get all that approved. She urges the city to take over the road.

Bill Gunning, Sedona, thanked ADOT. Theyve got infinite patience with these problems. They build beautiful roads. ADOT is saying its your city and when it comes into the city, take responsibility. Were not a city; were a small town by a lot of standards. Small towns look for cost effective ways to solve their problems he suggests a divided speed limit sign for night and day. Many communities do this. Its cost effective and it works. No great cost to do that or amount of lights. Hed like to see the city get aggressive about burying utility poles along 89A. If youre going to put the lights in wont that drive up the cost of burying the lines in the future. That would create a lot of enthusiasm. Were supportive of saving the night sky for Sedona.

Carol Vanswenker?, Sedona, stated she came to be educated. She was surprised when she heard we had three alternatives, but they were all for lights in Sedona. There was nothing for other things that have been discussed here. Maybe we could put out a new questionnaire with more alternatives to the public.

Mayor Adams closed to public at 8:38 p.m.

Councilor Colquitt stated since Mike Ward had questions, would you like to answer any of his questions. Floyd stated ADOT has a number of federal funds that have criteria for all sorts of programs. The funds approved for this have strict criteria so the program has to meet certain conditions. The \$2.5 million we got approval for was designated for continuous roadway lighting. If we don't do that project that fund has to go to another project. ADOT doesn't just have funds to be spent on lighting. The issue we have is that the current five year program we have is cost constrained to the funding available. If this lighting concept isn't used we'd have to put together a whole new scope of work and look for other funds. We've been through that analysis and we want to move forward with that improvement. We intend to move forward with that project. We have the funding in place.

Councilor Colquitt asked him to explain transitional lighting.

Mark Poppy stated he needs clarification, or a page number. Floyd stated the reference is our ADOT policy guidelines and procedure. It outlines guidelines we would follow. Section 700 is a policy statement. The purpose is to provide general guidance. It was developed as a way to give us a generalized process. It has statements that say it's not a prescriptive policy. Do we have enough lighting to have a safe network? It's a guideline for discussion. It talks about intersection improvements.

Councilor Colquitt asked if there's a liability for the city for not doing transitional lighting. Floyd stated he doesn't give legal advice.

Councilor Colquitt stated she keeps hearing ADOT is responsible for the medians.

John Harper stated the IGA is for maintenance of our system. If there was an existing median we'd repair it.

Councilor Colquitt stated she wanted to discuss what ADOT thought the safety panels' role was. Did you ever feel you were bound by their recommendations? What was the purpose of that panel?

John stated to provide recommendations to Council to address safety. There were professionals on that panel.

Councilor Colquitt asked if ADOT has any input in a survey that went out in a local newspaper. John Harper stated no.

Councilor Scagnelli stated she wanted to address some comments. In 2006 the then Council asked ADOT to address safety at night. The panel turned it into safety in general, but it started as safety at night, it was always about visibility at night. We never ignored Andante, it was always part of the discussion. Medians prohibit left turn ingress and egress. We have many curb cuts in West Sedona. Most businesses have two curb cuts. If theres a median you cant turn left into the business or out of it. Our roadway isnt engineered in a way to do that in a lot of vehicles. Strategically placed medians are a different thing. Thats how the roundabout discussion started. We have done our homework. ADOT has said you can put in dark sky compliant lights or you can own the roadway so we know what our choices are. What are the height and wattage of the roundabouts at the Y?

Mark Poppy stated they are 30 feet high and the wattage is 250 watts.

Councilor Scagnelli stated if we go with 29B-R1 theyd be less bright then the ones at the roundabout?

Mark Poppy stated yes.

Councilor Scagnelli stated people preferred a lower mounting height and 35 feet is a medium mounting height.

Councilor DiNunzio asked if ADOT agreed to strategically placed medians and barriers. John Harper stated no. Its always been continuous.

Councilor DiNunzio asked them to describe medians with barriers. What are they like? John Harper stated theyre raised curbs and inside are islands. Theyd like to discourage pedestrians from crossing.

Councilor DiNunzio stated itd be something that would stop pedestrians from crossing.

John Harper stated barriers could occur in the median or the sidewalk but its probably better to have it in the middle.

Councilor DiNunzio asked if the city owned the road and wanted to implement alternatives that the safety panel recommended do you know how much that would cost?

John stated itd be about \$1 million/mile for medians. Then theres the issue of getting people turned around and how do you do that.

Councilor Frey asked John Harper if theres anything the public brought up that hed like to answer. John stated were following the NEPA process. Once an alternative is picked they can finish that process. There have been pedestrian accidents since the last fatal in 2006. Kohinoor Karr, ADOTs Transportation Safety Engineer, stated in addition to the four fatalities, we have two debilitating injuries, one in 2006 and one in 2007. These are both in the nighttime.

Councilor Frey stated pedestrian barriers would probably be in the median? John stated thats correct. Councilor Frey asked if they have to be lit at night so a pedestrian can see them. John stated he doesnt know. Councilor Frey asked how high they would be. John stated he doesnt know. Councilor Frey asked if 29B-R1 is \$15,000/year for maintenance and operations. Mark Poppy stated yes. Alternative 4 is \$12,000/year.

Councilor Surber asked what the height of the lights at the intersections is. Mark Poppy stated 250 watt cobra head with 35 foot poles.

Councilor Surber stated he thought we need lights or median with barriers. Could you have just a pedestrian barrier at the edge of the roadway? John stated when you have pedestrians you have access points. Itd be difficult and youd still have openings. Councilor Surber stated the city would have to come up with the funding for that. What if we said we could do that in six years? John stated were moving forward on the lighting project. Until something changes in terms of route transfer lights are going in. Floyd stated our liability continues to hang out there. We need to address that issue now.

Vice Mayor Hamilton stated he feels like a mosquito at a nudist colony he doesnt know where to begin. Yesterday our police department confirmed there have been zero injuries on that road since 2006. He wants to know why were hearing a false story tonight.

John stated Kohinoor Karr got it from ADOT's database. Kohinoor stated he pulled them before the open house. He doesn't have the actual police reports but he can look back at those reports. They were at mile post 372.4 and 372.0. They were incapacitating injuries since the deaths.

Vice Mayor Hamilton stated our police department said yesterday that there hasn't been an accident out there and you're telling me that you're working from memory but you have no documentation. Kohinoor Karr stated he has a note that there were two accidents at these locations, but he can pull his reports.

Vice Mayor Hamilton stated ADOT has fabricated a great deal of information about this program. That's how we got to things that supposedly warrant and meet cross benefit standards. He thinks Floyd got a sense tonight on how the community feels. You told us the money you had applied for was dedicated only for highway lighting. You also said you have the option to use part of that to put in a traffic signal at Andante, then put the rest to another community. Floyd Roehrich stated it'd go back into safety funds and used for a different project.

Vice Mayor Hamilton stated you could go back and try to get funding for other alternatives? Floyd stated we could start over again but we don't care to do that given the liabilities. He knows we don't have agreement. We have a viable solution. It gives us the measure of safety we're looking for.

Vice Mayor Hamilton stated you said lighted crosswalks aren't warranted. What are the criteria for warranting a crosswalk? Mark Poppy stated there are criteria in their manual in establishing where crosswalks are warranted. It's based on pedestrian volume at a location and the number of gaps in traffic. Accidents don't have any bearing on that.

Vice Mayor Hamilton stated so crosswalks don't make that warranting. You said that a light at Andante wasn't warranted then you changed your mind, ADOT did. First they said it wasn't warranted. What additional data had you gathered? John Harper stated we'd looked at that road for years. We looked again in 2006 and it was on the borderline so we decided to warrant it. The criteria are side street volume, delay, through volume.

Vice Mayor Hamilton stated you determined the volume had gone up so it was warranted. John stated yes.

Vice Mayor Hamilton stated initially you said lowering the speed limit wasn't warranted. Then Chuck changed his mind without further research. It seems like quick judgment. Are streetlights warranted? What are the criteria?

John stated we did a study in 2006 and submitted it to the Federal Highway Administration and it was determined warranted. We had four pedestrian fatalities that are the primary reasons for putting in the lights.

Vice Mayor Hamilton stated one was out of the study area are you aware?

John stated yes, but even one fatality is one too many.

Vice Mayor Hamilton stated what time frame did you use when you compiled the data?

John stated a three year period; we included a five year look back in time and included that in the study.

Vice Mayor Hamilton stated you did the cost benefit analysis four years ago? John stated it was based on accidents from 2003-2005. Vice Mayor Hamilton stated so you would have found one.

John stated one nighttime fatality in June 2005.

Vice Mayor Hamilton stated so you really had to stretch that one to make it work. We haven't had a pedestrian injury on that road for the past four years.

John stated according to our data there have been a couple of injuries at night. It could be wrong but he's relying on someone who's researched that.

Vice Mayor Hamilton asked if you found out it was wrong would you still decide to do this.

John stated yes.

Vice Mayor Hamilton stated every state engineering manual talks about transitional lighting. It says if you're going from a lighted area to a dark area

you need a transitional process, you need 15 seconds to give your eyes time to adjust. You find it in city and state manuals. Cross streets are lighted up for a half mile. We have 32 side streets that will be completely dark when you turn up them. This is a question where the city is being drugged down the liability rat hole. When you have people turn off the bright street onto 32 unlit side streets youre setting up a liability issue for the city that you didnt tell us about. The safety panel was made up of very qualified people and you came up with a hierarchy of things that were more and less safe. Streetlights were at the bottom of that list. Over 90% of our accidents take place in the day. So if we want to look at liability, if thats what youre hiding behind, wheres the biggest probability? Thats not a rhetorical question.

Floyd Roehrich stated were liable for that road 24/7. The request was to look at nighttime safety. Thats what were doing with this lighting. Thats the solution were moving forward with. Well have to continue to look at the road to mitigate liability. Youve assisted us in that by lowering the speed limit. The total liability of that road doesnt go away.

Vice Mayor Hamilton asked what are we doing in terms of ignoring much more useful liability reduction items that work day and night as we race to put the lights in. There isnt an urgent emergency on that road except at Andante. Our nighttime to day time accident ratio is .01%. Its just not there. Yet you tell us streetlights are essential to reduce your liability and it would be extra effort to back up and seek funding for medians. You want to come here and deface Sedona because you just dont want to spend the time to start over.

Floyd stated thats not it at all. Weve spent almost four years on this. It was evaluated and thats why ADOT is moving forward as we have approved and verified and got the funding for.

Vice Mayor Hamilton stated we have a provision in our IGA that says we should go to a mediator. What are your thoughts?

Floyd stated hes not familiar with the IGA to the point he said, the IGA is related to the maintenance of the road not to the overall operation. Is it going to be rehashing the same issue that we disagree on? As was previously pointed out in the agreement with Kingman, as well as the lawsuit, the court at the time dismissed the city of Kingman because even though ADOT listened to the city, they didnt have the statutory authority to do that, they were dismissed and we

were held full liable. Vice Mayor Hamilton stated hes very familiar with that lawsuit thank you. Floyd stated we need to move forward with the actions our board approved.

Vice Mayor Hamilton stated so the fact that you took ancient information to your board justifies defacing Sedona because they approved it, so youll hide behind your board because you took them information and got this approved; so now you have to move forward with it.

Floyd stated were not hiding behind anything. Were very openly and have been for years. To now say you waited three years, lets start over, that doesnt manage our responsibility as a state agency. Its still valid information.

Vice Mayor Hamilton asked Floyd if he was familiar with the accidents. Floyd stated, not him personally. Vice Mayor Hamilton stated hed close by helping Floyd just a bit. There were two folks killed on that road; one was killed in June 2005 and one was in June 2006. Another was in 2000. Both were well over the limit of extreme DUI. They were in the exact same place, between two bars across the road from each other. Those bars are gone. It was a one time unusual phenomenon. That situation went away. It was unique. Thats one of the reason the public has so much consternation about this project. Things like medians are much higher on that list. The liability that goes with something thats low in reducing accident potential ought to leave us both concerned.

Mayor Adams stated he has concerns about allowing one Councilor to take up 30 minutes but he thought the questions were relevant. Hell take final questions from Council.

Councilor Scagnelli asked how far apart the lights at the Y roundabout are now. Mark Poppy stated hed have to look at the plans, but theyre probably 50-75 feet apart.

Councilor Scagnelli stated shed like to go with 35 foot Monterey style because it wont cost us anything. Theyre dark sky compliant. It will be a consistent look with what weve done on SR179 and the Y. Go to Burger King, take six big steps back and its dark and you see the sky. She doesnt think this is going to compromise our dark skies.

Councilor Surber stated we have looked at this. We looked at 8 recommendations from the safety panel. We are taking 8 of those recommendations from the panel. We didnt disregard what they did. He agrees with 29B-R1.

Councilor DiNunzio stated he also prefers the 29B-R1. Having lights in a previously dark environment is a huge shift. Its a dark road at ground level so some improvement needs to be made. This fixes the problem now. It doesnt preclude getting involved in the redevelopment plan in the future but right now its too dark, it isnt safe. He supports what ADOT is doing to get it fixed now.

Councilor Colquitt stated she agrees with 29B-R1, but thats only because we dont have to pay for it. She was on the Council that received the petition when it came with over 500 signatures asking to go to ADOT to address nighttime safety issues on this road. We knew there were going to be lights. She announced that at a meeting at KSB and there was no response. One thing that irritates her is that everyone who has an opinion has no responsibility for it or the cost of it. Shes tired of hearing “they were drunk.” Well, there are a lot of drunks in Sedona. And when did we get the right to determine one life is more important than another? She wants the highway lit; she wants the sidewalk lit and the medians lit. Not one person got up tonight and talked about the human cost.

Councilor Frey stated he agrees with Councilor Colquitt. One life is too many. He also had an experience last night and he had a bicycle cross in front of him that he almost didnt see at all. He always hears people dont go out at night because its too dark on SR89A. He likes 29B-R1.

Vice Mayor Hamilton stated John stated in October if the city didnt want to pay, ADOT would pay for electricity and everything. Is that still on the table?

John stated for the ADOT system only.

Vice mayor Hamilton asked if all 68 options were still on the table? John stated yes. Vice Mayor Hamilton stated that he heard tonight that option 14 is the most dark sky friendly of them all. So we could look at all of these. If youre going to get raped, its not important how your rapist is dressed. But if he were picking lights and he wouldnt, why dont we look at something like alternative 14 if thats what dark sky folks want. The city has legal, financial and political

weapons were not helpless in front of ADOT. We have all those options if we choose to use them. Were not helpful unless thats how we choose to do it. The problem doesnt exist. And if it does its probably a daytime problem. The notion were addressing a day time problem is baloney.

Mayor Adams stated his end goal was to find the best safety solution possible. Every argument he can make was already made tonight. He believes the lights arent the best safety solution. He knows theyre focusing on nighttime but we should address both. Were not looking at a holistic solution. Were looking at a band-aid to address a liability issue. We need to be looking at something that really is going to fit into the environment of Sedona. 35 foot lights will create a continuous roadway of light will have impact on our dark skies but also a visual impact. Its not right for Sedona. Lets doing things right the first time. There is a tremendous amount of public opposition. Claims are made by both sides. There is a huge resistance based on the thousands of people hes talked to. Why not look for something everyone can live with. Thats what happened with SR179 and everyone I talk to says they love it. It doesnt make sense for us not to do something with continuity. Most the people that come in come in on SR179, so thats 3 million people coming through SR179 and that handles the traffic. They like the bike lanes, the landscaping, the roundabouts, the lighting. The feel fits. Why arent we moving toward a solution that fits our community that most people can agree on? Its about the best solution overall. It bothers him that were moving down this path toward continuous lighting.

► ***Motion: Mayor Adams moved to install pedestrian crosswalks that are lit on demand at designated locations that ADOT would find to have the highest criteria for pedestrian crossing in conjunction with pedestrian safety islands where necessary in lieu of the lights. Seconded by Vice Mayor Hamilton. Vote: Motion failed two (2) to five (5), (Councilors Scagnelli, Surber, DiNunzio, Frey and Colquitt opposed).***

Councilor Surber stated doesnt that go against our redevelopment plan?

Councilor DiNunzio called it to question. Mike Goimarac stated Council must vote to call it to question or not.

Council unanimously voted to call into question to vote on the Mayors motion. No more discussion.

The motion failed so Mayor Adams stated hed entertain another motion.

Motion: Councilor DiNunzio moved to approve lighting alternative 29B-R1. Seconded by Councilor Colquitt. Vote: Motion carried five (5) to two (2). (Mayor Adams and Vice Mayor Hamilton opposed).

Mayor Adams asked security to keep an eye on people existing. He thanked the audience for their comments. Hes sorry that it didnt turn out better. Please behave yourself on the way out.

4.Discussion/possible action on future meeting/agenda items.

Next meeting will be March 10 at 4:30 p.m.

6.Adjournment.

Mayor Adams adjourned the meeting at 9:53 p.m. without objection.

I certify that the above is a true and correct summary of the Special City Council Work Meeting held on February 24, 2010.

Recording Secretary, Alison E. CarneyDate

